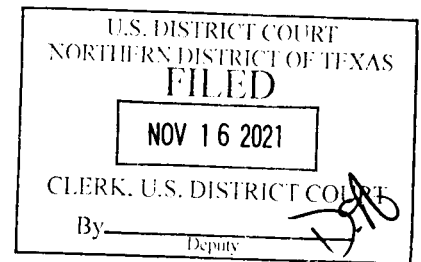


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



RODGER DWAYNE STEPHENSON,

Plaintiff,

v.

GRAY COUNTY SHERIFF DEPT., *et al.*,

Defendants.

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2:19-CV-222-Z-BQ

**ORDER**

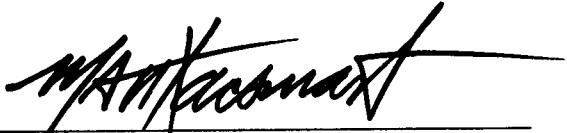
On December 5, 2019, *pro se* Plaintiff filed a Complaint (ECF No. 3) in this Court, proceeding *in forma pauperis*. Plaintiff filed his operative Amended Complaint on December 27, 2019 (ECF No. 8), to which Defendants J.C. Skinner and Nathan Smith (collectively, “Defendants”) timely answered (ECF No. 48). On September 28, 2021, the United States Magistrate Judge entered findings and conclusions on Defendants’ Motion for Summary Judgment (ECF No. 50). *See* ECF No. 55. The Magistrate Judge **RECOMMENDS** that the Court grant Defendants’ Motion for Summary Judgment on the issue of qualified immunity as to Plaintiff’s excessive force claims. Further, the Magistrate Judge **RECOMMENDS** that the Court *sua sponte* dismiss Plaintiff’s bystander liability claim against Defendant Smith. Plaintiff did not file objections, and the time to do so has now expired.

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the Magistrate Judge, the Court concludes that the findings and conclusions are correct. The Court therefore **ORDERS** that the findings, conclusions, and recommendation of the Magistrate Judge should be and are hereby **ADOPTED**,

and Plaintiff's claim for excessive force against Defendants Skinner and Smith, as well as Plaintiff's bystander liability claim against Defendant Smith, are dismissed **WITH PREJUDICE**.

**SO ORDERED.**

November 16, 2021.



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MATTHEW J. KACSMARYK  
UNITED STATES DISTRICT JUDGE